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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,479	11/05/2003	Kyoung-Won Kim	1572.1170	7746

21171 7590 08/23/2007  
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EXAMINER
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FEARER, MARK D

ART UNIT	PAPER NUMBER
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2143

MAIL DATE	DELIVERY MODE
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08/23/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

80

<b>Office Action Summary</b>	<b>Application No.</b> 10/700,479	<b>Applicant(s)</b> KIM ET AL.	
	<b>Examiner</b> Mark D. Fearer	<b>Art Unit</b> 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

- Applicant's Amendment filed 05/30/2007 is acknowledged.
- Claims 1, 3, 5, 9, 10, 13, and 19 have been amended.
- Claims 1-19 are still pending in the present application.
- This action is made FINAL.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 3-5, and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nouri et al. (US 6065053 A) in view of Iavergne et al. (US 7181517 B1).

Consider claim 1. Nouri et al. discloses a remote control system of controlling an electronic appliance through the Internet ((“One embodiment of the present invention facilitates remotely powering-on and powering-off of the server system by use of a client computer.”) column 5 lines 13-15), comprising: an electronic appliance comprising: a telephone network accessing unit, which is accessible with a proper telephone number of the electronic appliance ((“The client computer may be local to the server system, or may be at a location remote from the server system, in which case a pair of modems are utilized to provide communication between the client computer and the server system. A remote interface board connects to the server and interfaces to the server modem.”) column 5 lines 15-20), a power supplying unit, and a controller controlling the power supplying unit so that the electronic appliance is supplied with driving power according to a telephone signal received through the telephone network accessing unit ((“At the completion of the power-on operation by the Chassis controller 170, the

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Recovery Manager 130 sends a read status command to the Chassis controller (using states 304 and 306) to retrieve information on the results of the operation.”) column 14 lines 54-58); and a remote control server comprising: a telephone number database to store the proper telephone number of the electronic appliance (“The System Recorder memory 112 may also store identification of components of the server system.”) column 20 lines 22-24), a telephone signal transmitting unit to transmit the telephone signal to the electronic appliance (“After successful modem communication has been established and the password confirmed at state 436, or at the completion of checking the password at state 442, process 420 continues at state 446.”) column 16 lines 52-55), and a server controlling unit to read out the proper telephone number of the electronic appliance from the telephone number database according to a selection of power control of the electronic appliance by a user making an access thereto through the Internet, to control the telephone signal transmitting unit, and to supply the telephone signal to the telephone network accessing unit of the selected electronic appliance having the read proper telephone number through the telephone network so that power of the selected electronic appliance is enabled (“Incoming messages are handled based on interrupt, where a first byte of an incoming message is the Slave Address which is checked by all controllers connected to the microcontroller bus 160 (FIG. 2). Whichever microcontroller has the matched ID would respond with an acknowledgement to the sender controller.”) column 12 lines 66-67 and column 13 lines 1-4). However, Nouri et al. fail to disclose a remote control system comprising a remote user terminal. Iavergne et al. discloses a browser enabled remote user interface (“The

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present invention provides a remote user interface system that will allow a remote browser application to monitor and control the power system from anywhere in the world. The interface system further supports a local user interface, such as in the form of a liquid crystal display screen and touchpad interface, to provide the same information that is available through the remote browser. Preferably the local interface and the remote browser interface are configured as a series of menu screens providing both static and dynamic (real-time) information. Preferably the screens of the remote browser interface and the local interface are of the same or similar layout so that the user of the remote browser interface will be familiar with the local interface, and vice versa.") column 2 lines 5-18).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a browser enabled remote user interface as taught by lavergne et al. with a remote control system of controlling an electronic appliance through the Internet as taught by Nouri et al. for the purpose of a remote control communications system.

Consider claim 3, and as applied to claim 1 above. Nouri et al., as modified by lavergne et al., discloses a remote control system where user identification is stored and access is authenticated ("Moving to state 292, the remote interface 104 is connected with the server 100. The previously entered password (at state 273) is sent to the remote interface 104 to identify the user at the local computer 122. If the password matches a password that is stored in the server system 100, the

communication path with the remote interface is enabled.") column 13 line 67 and column 14 lines 1-6).

Consider claim 4, and as applied to claim 1 above. Nouri et al., as modified by layergne et al., discloses a system of remote control via the internet (("In another embodiment, the server modem to client modem connection may be implemented by an Internet connection utilizing the well known TCP/IP protocol. Any of several Internet access devices, such as modems or network interface cards, may be utilized. Thus, the communications network 127 may utilize either circuit or packet switching.") column 7 lines 38-44).

Consider claim 5. Nouri et al. discloses a remote control method of controlling an electronic appliance through the Internet (("In another embodiment, the server modem to client modem connection may be implemented by an Internet connection utilizing the well known TCP/IP protocol.") column 7 lines 38-40), comprising: storing a proper telephone number of the electronic appliance in a remote control server (("The first block is a memory block which stores ID codes of the devices installed in the network.") column 22 lines 44-46); allowing a user to access the remote control server through the Internet (("If modem is selected, the user is requested to enter a telephone number to be used in dialing the server modem.")); and controlling the electronic appliance to enable a power thereof by reading out the stored proper telephone number of the electronic appliance that is selected according to a selection of power control of the electronic appliance by the user accessing the remote control server and by supplying a telephone signal to the selected electronic appliance having the proper telephone

number through a telephone network ((“A remote interface board connects to the server and interfaces to the server modem. Recovery manager software is loaded on the client computer to control the power-on and power-off processes and to provide feedback to a user through a graphical user interface.”)). However, Nouri et al. fail to disclose a remote control method comprising a remote user terminal. lavergne et al. discloses a browser enabled remote user interface ((“The present invention provides a remote user interface system that will allow a remote browser application to monitor and control the power system from anywhere in the world. The interface system further supports a local user interface, such as in the form of a liquid crystal display screen and touchpad interface, to provide the same information that is available through the remote browser. Preferably the local interface and the remote browser interface are configured as a series of menu screens providing both static and dynamic (real-time) information. Preferably the screens of the remote browser interface and the local interface are of the same or similar layout so that the user of the remote browser interface will be familiar with the local interface, and vice versa.”) column 2 lines 5-18).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a browser enabled remote user interface as taught by lavergne et al. with a remote control method of controlling an electronic appliance through the Internet as taught by Nouri et al. for the purpose of a remote control communications system.

Consider claim 7, and as applied to claim 5 above. Nouri et al., as modified by lavergne et al., discloses a method of remote control where user identification is stored



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and access is authenticated ((“Moving to state 292, the remote interface 104 is connected with the server 100. The previously entered password (at state 273) is sent to the remote interface 104 to identify the user at the local computer 122. If the password matches a password that is stored in the server system 100, the communication path with the remote interface is enabled.”) column 13 line 67 and column 14 lines 1-6).

Consider claim 8, and as applied to claim 5 above. Nouri et al., as modified by lavergne et al., discloses a method of remote control via the internet ((“In another embodiment, the server modem to client modem connection may be implemented by an Internet connection utilizing the well known TCP/IP protocol. Any of several Internet access devices, such as modems or network interface cards, may be utilized. Thus, the communications network 127 may utilize either circuit or packet switching.”) column 7 lines 38-44).

Claims 2, 6, and 9-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nouri et al. (US 6065053 A) in view of Carmello et al. (US 6425000 B1) and in further view of lavergne et al. (US 7181517 B1).

Regarding claim 2, and as applied to claim 1 above, Nouri et al. discloses a system comprising a modem that dials a remote server. This reads on the claimed “The remote control system according to claim 1, wherein the telephone signal ...” ((“If modem is selected, the user is requested to enter a telephone number to be used in dialing the server modem.”) column 13 lines 41-43). However, Nouri et al. fails to teach a ring tone of dual-tone multi-frequency (DTMF). Carmello et al. discloses a system

wherein the triggering circuit has the ability to transmit DTMF tones. This reads on the claimed "...wherein the telephone signal comprises a ring signal or a DTMF (dual-tone multi-frequency) signal." ("In addition, the advanced ring detection and triggering circuit 16A has the ability to transmit DTMF (Dual Tone Multi-Frequency) tones back onto the phone line 24 in order to signal the remote user that the triggering operation has been carried out by the host system 10.") column 9 lines 12-16). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the system using dual-tone multi-frequency as taught by Carmello et al. with the system of a modem dialing a remote server as taught by Nouri et al. for the purpose of using a telephone ring tone to trigger an event. However, Nouri et al., as modified by Carmello et al., fails to disclose a remote server system comprising a remote user terminal. Iavergne et al. discloses a browser enabled remote user interface ("The present invention provides a remote user interface system that will allow a remote browser application to monitor and control the power system from anywhere in the world. The interface system further supports a local user interface, such as in the form of a liquid crystal display screen and touchpad interface, to provide the same information that is available through the remote browser. Preferably the local interface and the remote browser interface are configured as a series of menu screens providing both static and dynamic (real-time) information. Preferably the screens of the remote browser interface and the local interface are of the same or similar layout so that the user of the remote browser interface will be familiar with the local interface, and vice versa.") column 2 lines 5-18).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a browser enabled remote user interface as taught by lavergne et al. with a remote server system as taught by Nouri et al., as modified by Carmello et al, for the purpose of a remote control communications system.

Regarding claim 6, and as applied to claim 5 above, Nouri et al., as modified by lavergne et al., discloses a method of a modem dialing a remote server. This reads on the claimed "The remote control system according to claim 1, wherein the telephone signal ..." (("If modem is selected, the user is requested to enter a telephone number to be used in dialing the server modem.") column 13 lines 41-43). However, Nouri et al., as modified by lavergne et al., fails to teach a ring tone of dual-tone multi-frequency (DTMF). Carmello et al. discloses a system wherein the triggering circuit has the ability to transmit DTMF tones. This reads on the claimed "...wherein the telephone signal comprises a ring signal or a DTMF (dual-tone multi-frequency) signal." ("In addition, the advanced ring detection and triggering circuit 16A has the ability to transmit DTMF (Dual Tone Multi-Frequency) tones back onto the phone line 24 in order to signal the remote user that the triggering operation has been carried out by the host system 10.") column 9 lines 12-16).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the system using dual-tone multi-frequency as taught by Carmello et al. with the system of a modem dialing a remote server as taught by Nouri et al., as modified by lavergne et al., for the purpose of using a telephone ring tone to trigger an event.

Regarding claim 9, Nouri et al. discloses a system to remotely control a server via a terminal and an internet connection. This reads on the claimed "A system to remotely control electronic appliances, comprising: a user terminal; a remote control server that is connected to the user terminal via the Internet..." ("Moving to state 298, the server window panel 928 is then displayed to the user.") column 14 lines 18-19). However, Nouri et al. fails to teach a plurality of remotely controlled devices. Carmello et al. discloses a system wherein a server contains a list of multiple computer systems that can receive a signal. This reads on the claimed "...a plurality of electronic appliances that are connected to the remote control server via a telephone network, wherein a user controls power to the plurality of electronic appliances via the user terminal." ("According to another aspect of the present invention, a method is disclosed for a remote user to select and trigger a host system to connect to the Internet by connecting to a network server, such as a Web Server, wherein the Web Server includes a list of host computer systems that can be triggered for connection to the Internet by the network server, and wherein the remote user selects the host system to be triggered and the network server dials a phone number associated with a phone line connected to the host system, thereby triggering the host computer system to execute a predetermined program which causes the host system to connect to the Internet.") column 4 lines 66-67 and column 5 lines 1-10). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the system that can signal multiple computers as taught by Carmello et al. with the remote control server as taught by Nouri et al. for the purpose of a server, including a

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local terminal, that can remotely control a plurality of clients via the internet and dialed phone numbers. In the related field of endeavor, client / server systems the unix operating system can remotely access one another via the TCP/IP protocol over the internet or the KERMIT program using modems. However, Nouri et al., as modified by Carmello et al., fails to disclose a remote server system comprising a remote user terminal. Iavergne et al. discloses a browser enabled remote user interface ((“The present invention provides a remote user interface system that will allow a remote browser application to monitor and control the power system from anywhere in the world. The interface system further supports a local user interface, such as in the form of a liquid crystal display screen and touchpad interface, to provide the same information that is available through the remote browser. Preferably the local interface and the remote browser interface are configured as a series of menu screens providing both static and dynamic (real-time) information. Preferably the screens of the remote browser interface and the local interface are of the same or similar layout so that the user of the remote browser interface will be familiar with the local interface, and vice versa.”) column 2 lines 5-18).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a browser enabled remote user interface as taught by Iavergne et al. with a local server system capable of remote access as taught by Nouri et al., as modified by Carmello et al, for the purpose of a remote control communications system.

Regarding claim 10, and as applied to claim 9 above, Nouri et al., as modified by lavergne et al., discloses a system of remote control of a server via the internet and a local terminal. This reads on the claimed "... wherein the selected electronic appliance transmits appliance information to the remote control server via the Internet, and wherein the remote control server transmits the appliance information to the user terminal." (("Moving to state 298, the server window panel 928 is then displayed to the user.") column 14 lines 18-19 ("In another embodiment, the server modem to client modem connection may be implemented by an Internet connection utilizing the well known TCP/IP protocol. Any of several Internet access devices, such as modems or network interface cards, may be utilized. Thus, the communications network 127 may utilize either circuit or packet switching.") column 7 lines 38-44). However, Nouri et al., as modified by lavergne et al., fails to teach a plurality of client devices. Carmello et al. discloses a system wherein the user can select one of a plurality of remote devices. This reads on the claimed "... wherein the user selects one of the plurality of electronic appliances to control using the user terminal ..." (("According to another aspect of the present invention, a method is disclosed for a remote user to select and trigger a host system to connect to the Internet by connecting to a network server, such as a Web Server, wherein the Web Server includes a list of host computer systems that can be triggered for connection to the Internet by the network server, and wherein the remote user selects the host system to be triggered and the network server dials a phone number associated with a phone line connected to the host system, thereby triggering

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the host computer system to execute a predetermined program which causes the host system to connect to the Internet.") column 4 lines 66-67 and column 5 lines 1-10).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the plurality of devices as taught by Carmello et al. with remote internet selection as taught by Nouri et al., as modified by lavergne et al., for the purpose of a user being able to select from a plurality of remote devices connected over the internet and displayed back to the local user terminal. An example of this could be a commercial backup system that is available for the Windows or the unix operating system where remote tape libraries can be administered from a graphical user interface on the master server.

Regarding claim 11, and as applied to claim 10 above, Nouri et al., as modified by lavergne et al., discloses a system that displays power status, time of control, and results of the operation. This reads on the claimed "The system of claim 10, wherein the appliance information comprises a current power status, an IP (internet protocol) address, a time of control, and a result of control." ("Initialization, modification and retrieval of system conditions is performed through utilization of a remote interface by issuing commands to the environmental processors. The system conditions may include system log size, presence of faults in the system log, serial number for each of the environmental processors, serial numbers for each power supply of the system, system identification, system log count, power settings and presence, canister presence, temperature, BUS/CORE speed ratio, fan speeds, settings for fan faults, LCD display, Non-Maskable Interrupt (NMI) request bits, CPU fault summary, FRU status, JTAG

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enable bit, system log information, remote access password, over-temperature fault, CPU error bits, CPU presence, CPU thermal fault bits, and remote port modem. The aforementioned list of capabilities provided by the present environmental system is not all-inclusive.”) column 5 lines 38-53 (“Each device connected to the bus is software addressable by a unique address and simple master/slave relationships exist at all times; masters can operate as master-transmitters or as master-receivers.”) column 9 lines 44-47 (“Moving to state 312, the response generated by the server is then sent to the remote interface 104. In one embodiment, the microcontroller (the Chassis controller 170 in this instance) performing the command at the server returns status at the time of initiation of communication with the microcontroller.”) column 14 lines 49-54 (“At the completion of the power-on operation by the Chassis controller 170, the Recovery Manager 130 sends a read status command to the Chassis controller (using states 304 and 306) to retrieve information on the results of the operation.”) column 14 lines 54-58). However, Nouri et al., as modified by lavergne et al., fails to teach a database of telephone numbers that correlate to each remote device. Carmello et al. discloses an organized database that is used to determine whether to trigger a specific host system to connect to the internet by dialing a phone number associated with the system. This reads on the claimed “The system of claim 10, wherein the appliance information comprises a telephone number ...” (“The information stored in the Raw Access Log 114 and the Organized Database 122 is used by the Database Decision Module 116 to determine whether to trigger a specific host system 10 to connect to the Internet by dialing a phone number associated with the system.”) column 12 lines 43-47).



Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the system using a database of telephone numbers that are associated with remote devices as taught by Carmello et al. with the remote control system comprising address information and power, time, and event status as taught by Nouri et al., as modified by lavergne et al., for the purpose of a remote control system that tracks telephone numbers of clients, and event status such as time, power, and operation results.

Regarding claim 12, and as applied to claim 9 above, Nouri et al., as modified by lavergne et al., discloses a system comprising a remote server with stored user IDs and passwords, modem(s), and internet access. This reads on the claimed "The system of claim 9, wherein the remote control server comprises: a user information database to store user information, wherein the user information comprises a stored ID (identifier) and a stored password; an internet accessing unit to access the Internet; ... to compare the user information with an inputted ID and an inputted password." ("SECURE Establishes secure authorization on the serial link by checking password security data provided in the message with the microcontroller network password.") column 12 lines 13-14). However, Nouri et al., as modified by lavergne et al., fails to teach a plurality of remote devices nor a database of telephone numbers associated with said remote devices. Carmello et al. discloses a system comprising remote access to a plurality of devices whose telephone numbers are stored in a database. This reads on the claimed "The system of claim 9, wherein the remote control server comprises: a telephone number database to store a plurality of assigned telephone numbers that correspond to

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the plurality of electronic appliances; a telephone signal transmitting unit to transmit a telephone signal to the plurality of electronic appliances; and a server controlling unit to retrieve one of the plurality of assigned telephone numbers corresponding to one of the plurality of electronic devices from the telephone number database and to control the telephone signal transmitting unit ..." ("The information stored in the Raw Access Log 114 and the Organized Database 122 is used by the Database Decision Module 116 to determine whether to trigger a specific host system 10 to connect to the Internet by dialing a phone number associated with the system.") column 12 lines 43-47

("According to these types of systems, a user at a remote location from the host computer system gains access over a telephone connection between the two computers. Each computer includes a modem for communication over the phone line. In order to selectively permit access to certain users, but deny access to others, these remote access systems require the use of special hardware on both ends of the telephone connection, wherein the special hardware is an access control device connected between the respective computer and modem on each end of the connection.") column 2 lines 7-17).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate remote access via telephone modem connection and a database of telephone numbers associated with remote devices as taught by Carmello et al. with remote access via the internet with user authentication as taught by Nouri et al., as modified by Iavergne et al., for the purpose of a remote control server comprising a user database, a database of telephone numbers that are

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associated with remote devices, internet access, modem connection(s), and a server controlling unit that directs traffic between the server and the remote devices. Some well known technologies in 2003 that may incorporate similar gateway methods of IP and telephone are; Internet Telephone Service Provider (ITSP), where messages travel through gateways via the Internet allowing calls to be completed to telephones that are connected to the public telephone network; Analog Telephone Adapter (ATA), a device that converts analog telephone signals into another format, such as digital Internet protocol; Call Server, a form of application server that manages the setup or connection of telephone calls. The call server will receive call setup request messages, determine the status of destination devices, check the authorization of users to originate and/or receive calls, and create and send the necessary messages to process the call requests; IP PBX, a private local telephone system that uses Internet protocol (IP) to provide telephone service within a building or group of buildings in a small geographic area; and IP Telephone, a telephone device that is specifically designed to communicate through the Internet without the need for a voice gateway.

Regarding claim 13, and as applied to claim 12 above, Nouri et al., as modified by Iavergne et al., discloses a system wherein the remote server comprises a local display. This reads on the claimed "The system of claim 12, wherein the user terminal displays ... to the user as a list by name, as a plurality of symbols, or as a list by assigned telephone number." ("By such signals, the microcontroller network 102, for example, turns on or turns off power to the server components, resets the server system, turns the system cooling fans to high, low or off, provides system operating

parameters to the Basic Input/Output System (BIOS), transfers power-on self test (POST) events information from the BIOS, and/or sends data to a system display panel and remote computers.”) column 12 lines 53-60). However, Nouri et al., as modified by lavergne et al., fails to teach a plurality of remote devices. Carmello et al. discloses a system of remotely controlled devices that are associated with a telephone number. This reads on the claimed “The system of claim 12, wherein the user terminal displays the plurality of electronic appliances ... as a list by assigned telephone number.” (“According to another aspect of the present invention, a method is disclosed for a remote user to select and trigger a host system to connect to the Internet by connecting to a network server, such as a Web Server, wherein the Web Server includes a list of host computer systems that can be triggered for connection to the Internet by the network server, and wherein the remote user selects the host system to be triggered and the network server dials a phone number associated with a phone line connected to the host system, thereby triggering the host computer system to execute a predetermined program which causes the host system to connect to the Internet.”) column 4 lines 66-67 and column 5 lines 1-10).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the plurality of remotely controlled devices as taught by Carmello et al. with the remote server comprising a local display as taught by Nouri et al., as modified by lavergne et al., for the purpose of a user terminal displaying output of a plurality of remote devices. As in the example mentioned above, this could be a commercial backup system that is available for the Windows or

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the unix operating system where remote tape libraries can be administered from a graphical user interface (GUI) on the master server. The GUI may designate the client tape libraries by name, IP address, vendor, picture symbol icon, etc.

Regarding claim 14, and as applied to claim 12 above, Nouri et al., as modified by Iavergne et al., discloses a system wherein a server can remotely control a client computer via a modem connection, powering it on and off. This reads on the claimed "... a telephone network accessing unit to receive the telephone signal and to cause power to be supplied to the electronic device; a power supplying unit to supply power to the electronic device; a controller to control the power supplying unit based upon the telephone signal; and an internet accessing unit to transmit appliance information to the remote control server." ("The client computer ... may be at a location remote from the server system, in which case a pair of modems are utilized to provide communication between the client computer and the server system. A remote interface board connects to the server and interfaces to the server modem.") column 5 lines 15-20 ("One embodiment of the present invention facilitates remotely powering-on and powering-off of the server system by use of a client computer.") column 5 lines 13-15 ("One embodiment of the present invention is a system for resetting a computer, the system comprising: a first computer; a microcontroller capable of providing a reset signal to the first computer; a remote interface connected to the microcontroller; and a second computer connected to the first computer via the remote interface and communicating a reset command to the microcontroller.") column 3 lines 55-61). However, Nouri et al., as modified by Iavergne et al., fails to teach a plurality of client devices that are associated

with unique telephone numbers. Carmello et al. discloses a system comprising multiple clients that are associated with a telephone number in a stored database. This reads on the claimed "The system of claim 12, wherein each of the plurality of electronic devices ... and an internet accessing unit to transmit appliance information to the remote control server." ("The information stored in the Raw Access Log 114 and the Organized Database 122 is used by the Database Decision Module 116 to determine whether to trigger a specific host system 10 to connect to the Internet by dialing a phone number associated with the system.") column 12 lines 43-47).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the plurality of remote clients with their own telephone numbers as taught by Carmello et al. with the remote control server as taught by Nouri et al., as modified by Iavergne et al., for the purpose of a server that can remotely power on and off a client computer via a modem connection. As taught by Carmello et al., remotely controlling the actions of a host computer system using a telephone connection, particularly in triggering a predetermined program, sequence of events, or series of actions at the host system is well known in the field of endeavor. Such a sequence of events could be, for example, a script of commands which cause the host computer system to connect to the Internet for subsequent access by a remotely located user (column 1 lines 9-17).

Regarding claim 15, and as applied to claim 14 above, Nouri et al., as modified by Iavergne et al., discloses a system wherein a server can remotely control a client computer via a modem connection, powering it on and off. This reads on the claimed

"... a telephone network accessing unit to receive the telephone signal and to cause power to be supplied to the electronic device ("One embodiment of the present invention facilitates remotely powering-on and powering-off of the server system by use of a client computer.") column 5 lines 13-15. However, Nouri et al., as modified by lavergne et al., fails to teach of a ring signal capable of 'waking' a device. Carmello et al. discloses a system wherein a telephone ring tone activates power. This reads on the claimed "... telephone signal is a ring signal, and wherein power is supplied to the electronic device when a ring signal is detected." ("When a telephone call is detected on the phone line connected to the ring detector, the power switch is activated and the host computer's power supply is connected to the power outlet.") column 1 lines 55-57).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a telephone signal ring tone as taught by Carmello et al. with the remote control client / server as taught by Nouri et al., as modified by lavergne et al., for the purpose of using a telephone ring tone to trigger an event.

Regarding claim 16, and as applied to claim 14 above, Nouri et al., as modified by lavergne et al., discloses a system wherein a server can remotely control a client computer via a modem connection, powering it on and off. This reads on the claimed "... a telephone network accessing unit to receive the telephone signal and to cause power to be supplied to the electronic device ("One embodiment of the present invention facilitates remotely powering-on and powering-off of the server system by use of a client computer.") column 5 lines 13-15. However, Nouri et al., as modified by

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lavergne et al., fails to teach the dual-tone multi-frequency (DTMF) protocol. Carmello et al. discloses a system using DTMF signaling. This reads on the claimed "... wherein the telephone signal is a DTMF (dual-tone multi-frequency) signal, and wherein power is supplied to the electronic device when a signal is detected that corresponds to a predetermined button on a telephone." ("After the control monitor program 12 has executed the selected script 14, a signal is sent to the advanced control unit 16A indicating that a script has been triggered. The microcontroller 100 receives this signal and then transmits a specific tone or sequence of tones using the DTMF transceiver 96 and DAA circuit 90 back onto the phone line 24, indicating to the remote user that the selected script has been executed.") column 11 lines 36-44 ("Another prior art system combines the teachings of the remote access systems and the remote power-up systems by providing a remote power-up device that is triggered by a phone call, and which "boots" a computer system..." column 2 lines 59-62).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the dual-tone multi-frequency signal as taught by Carmello et al. with remote client / server as taught by Nouri et al., as modified by lavergne et al., for the purpose of using a telephone ring tone to trigger an event.

Regarding claim 17, and as applied to claim 12 above, Nouri et al., as modified by lavergne et al., discloses a system of a remote control server that requires authentication. This reads on the claimed "The system of claim 12 ... when the user information is equivalent to the inputted ID and inputted password." ("The previously



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entered password (at state 273) is sent to the remote interface 104 to identify the user at the local computer 122.”) column 14 lines 4-6). However, Nouri et al., as modified by lavergne et al., fails to teach a controlling unit of a plurality of remote devices. Carmello et al. discloses. This reads on the claimed “The system of claim 12, wherein the server controlling unit allows the user to control the plurality of electronic devices ...” (“The information stored in the Raw Access Log 114 and the Organized Database 122 is used by the Database Decision Module 116 to determine whether to trigger a specific host system 10 to connect to the Internet by dialing a phone number associated with the system.”) column 12 lines 43-47).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the controlling of a plurality of remote devices as taught by Carmello et al. with the user authentication as taught by Nouri et al., as modified by lavergne et al., for the purpose of a remote controlling unit of a plurality of devices that require user authentication. The Windows operating system, as far back as Windows NT (1997) and Windows 2000 (2000), has used a domain controller that authenticates users logging into clients on a domain.

Regarding claim 18, and as applied to claim 12 above, Nouri et al., as modified by lavergne et al., discloses a system of remote control comprising a modem. This reads on the claimed “The system of claim 12, wherein the telephone network accessing unit ...” (“A remote interface board connects to the server and interfaces to the server modem.”) column 5 lines 19-20). However, Nouri et al., as modified by lavergne et al., fails to teach a telephone network accessing unit in standby mode while

power to a system is deactivated. Carmello et al. discloses a system whose power can be activated by a telephone call. This reads on the claimed "The system of claim 12, ... is always in a standby mode, while power to the electronic device is deactivated." ("The remote power-up systems include a circuit which detects a telephone call and applies power to the host computer.") column 1 lines 49-51).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a telephone call triggering power as taught by Carmello et al. with a system of remote control using a modem as taught by Nouri et al., as modified by Iavergne et al., for the purpose of using a telephone ring tone to trigger an event.

Regarding claim 19, Nouri et al. discloses a system comprising a server with remote control capability and stored user IDs (passwords). This reads on the claimed "A remote control server that is connected to a user terminal via an Internet, comprising: a user information database to store user information, wherein the user information comprises a stored ID (identifier) and a stored password; an internet accessing unit to access the Internet, to compare the user information with an inputted ID and an inputted password ..." (column 13 lines 44-63). However, Nouri et al. fails to teach a plurality of client devices and a corresponding telephone number database. Carmello et al. discloses a system comprising a database for storing telephone numbers that are assigned to a plurality of clients. This reads on the claimed "... a telephone number database to store a plurality of assigned telephone numbers that correspond to the plurality of electronic appliances; a telephone signal transmitting unit to transmit a

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telephone signal to the plurality of electronic appliances; an internet accessing unit to access the Internet; and a server controlling unit to retrieve one of the plurality of assigned telephone numbers corresponding to one of the plurality of electronic devices from the telephone number database and to control the telephone signal transmitting unit, to compare the user information with an inputted ID and an inputted password, wherein a user controls power to the plurality of electronic appliances via the user terminal." ("The information stored in the Raw Access Log 114 and the Organized Database 122 is used by the Database Decision Module 116 to determine whether to trigger a specific host system 10 to connect to the Internet by dialing a phone number associated with the system.") column 12 lines 43-47). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the system comprising the database of phone numbers corresponding to a plurality of clients as taught by Carmello et al. with the system comprising a server with remote control capabilities and a database of user IDs (passwords) as taught by Nouri et al. for the purpose of a server, comprising a local terminal, a user (password) database and a database of telephone numbers that are assigned to unique clients, remotely controlling a plurality of clients remotely via the internet or a modem. In the related field of endeavor, client / server systems the unix operating system can remotely access one another via the TCP/IP protocol over the internet or the KERMIT program using modems. However, Nouri et al., as modified by Carmello et al., fails to disclose a system comprising a server with remote control capability comprising a remote user terminal. Iavergne et al. discloses a browser enabled remote user interface ("The

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present invention provides a remote user interface system that will allow a remote browser application to monitor and control the power system from anywhere in the world. The interface system further supports a local user interface, such as in the form of a liquid crystal display screen and touchpad interface, to provide the same information that is available through the remote browser. Preferably the local interface and the remote browser interface are configured as a series of menu screens providing both static and dynamic (real-time) information. Preferably the screens of the remote browser interface and the local interface are of the same or similar layout so that the user of the remote browser interface will be familiar with the local interface, and vice versa.") column 2 lines 5-18).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a browser enabled remote user interface as taught by Iavergne et al. with a system comprising a server with remote control capability as taught by Nouri et al., as modified by Carmello et al, for the purpose of a remote control communications system.

### ***Response to Arguments***

Applicant's arguments filed May 30, 2007 with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any response to this Office Action should be faxed to (571) 273-8300 or mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Mark Fearer whose telephone number is (571) 270-1770. The Examiner can normally be reached on Monday-Thursday from 7:30am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Mark Fearer  
M.D.F./mdf  
August 13, 2007

  
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